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SUBJECT: GEORGIA: SPEAKER BRIEFS DIPLOMATIC CORPS ON POLITICAL SITUATION, DEMOCRATIC REFORMS

REF: 09 TBILISI 222

**¶11.** (SBU) Summary and comment: On February 6, 2009 Speaker of Parliament David Bakradze called in the diplomatic corps and representatives of implementing organizations such as NDI and IRI to discuss recent political developments and Parliament's progress and plans on democratic reforms. Bakradze regretted the polarization of the current political situation, and assessed that the Georgian people are concerned primarily about two issues: security and the economy. He said support for the ruling United National Movement (UNM) has softened somewhat, but that the government maintains the strong confidence of the majority of voters. Bakradze said the radical (non-parliamentary) opposition has not seen an increase in support, but the number of Georgian voters who are undecided has increased. Bakradze said that the government is committed to enacting democratic reforms in Georgia, and he detailed current steps. The Embassy is watching the political situation and Parliament's reforms closely. End Summary and comment.

SETTING THE (POLITICAL) SCENE

**¶12.** (SBU) Bakradze said the Government is worried about increasing signs of polarization in Georgian politics. He said that the crisis of November 2007 taught the government that such polarization is dangerous to the country. Therefore, they must create a political system where all can be heard.

NO ELECTIONS, NO RESIGNATION

**¶13.** (SBU) The Speaker noted that the radical opposition is calling for new protests and a new government (some by April 9). Bakradze does not believe this will not happen. He explained that the radical opposition is unified on only one issue, Saakashvili's resignation. Bakradze noted that public opinion polls show that the majority of voters support the UNM and President Saakashvili. However, according to Bakradze, the polls also reveal that support for both the UNM and the radical opposition has decreased, while numbers of those who support the parliamentary opposition or who are undecided have increased. (Note: On February 8, parliamentary opposition MPs told us they see opportunity in the middle ground, as they watch their polling numbers rise. They can provide voters a third option between the UNM and the street. End note.)

BUTTER AND GUNS, OLD FEARS NEW FACES

**¶14.** (SBU) Bakradze said that those citizens who identify themselves as "undecideds" have two main concerns: the economy, and security. He said the UNM is working to address these issues, and claimed that the radical opposition is not offering real solutions. In Bakradze's view, the increase in numbers of undecided voters is attracting new (or not so new) faces to the political scene, including former high-ranking government officials (i.e. former UN Ambassador Alasania, former Speaker Burjanadze, and former PM Noghaideli). Nonetheless, Bakradze predicted that the UNM would win over these undecided voters with concrete actions addressing

security and economic concerns.

#### DEMOCRACY PARAMOUNT

¶15. (SBU) Bakradze said that the UNM is committed to further democratic reforms. He insisted that despite questions, the government is intent on making these reforms real. He said that the country cannot develop with a system that encourages "kamikaze opposition," that entails cornering opposition parties who then feel forced to "blow themselves up."

¶16. (SBU) Bakradze said the government is not afraid of these reforms, that "we have no choice, we have to do this." He lamented that his previous contact with the non-parliamentary opposition had dropped off, and said he would like to resume dialogue. He told the ambassadors, "I want you to understand our goals."

#### COMPLETED REFORM, PARTY FINANCING

¶17. Bakradze said Parliament had to act fast when it restored political party financing prior to December 31, in order to include it in the 2009 budget. He noted the newly-approved party financing structure (septel) provides more money to more parties, and for more activities (including political research) than any previous party financing structure in Georgia. He hoped that a law clarifying this party financing structure would be finished by summer 2009, with help from a German foundation.

#### PENDING REFORM, CRIMINAL CODE

¶18. (SBU) Bakradze said Parliament passed the new Criminal Procedure Code (CPC) in its first and second readings last year. However, Parliament had waited for an international expert from Sussex

TBILISI 00000276 002 OF 003

University to review the CPC before passing it in its third and final reading. Bakradze shared copies of the assessment with the attendees at the meeting and then read the expert's summary, which stated the CPC "has much to commend it; it is fully compliant with COE and international norms." Bakradze said they would debate the code in Parliament and he expects it to be passed before the end of February.

#### PENDING REFORM, POLITICAL CHANNEL

¶19. (SBU) Bakradze said that the Georgian Public Broadcasting (GPB) and Parliament continue to work on the political Channel-2 project which is planned to resemble C-SPAN. . The channel is will include coverage of Parliament, committees, political events and will have a small studio to provide access to all political parties (including non-parliamentary). Bakradze said the GPB is working with BBC Parliament TV to develop the channel and format. He welcomed any international assistance and specifically sought financial support. Bakradze also noted that the number of political talk shows is increasing on all channels.

#### PENDING REFORM, ELECTION CODE

¶10. (SBU) Bakradze noted that he had called for creation of a working group to reform the election code in December 2008 (ref A). He said that the National Democratic Institute is working to engage a broad range of political parties on a Code of Conduct. He said that the process will continue with as many parties as possible, but he recognized the reality that some parties will likely choose not participate. Ultimately, he said, Georgia needs - and the Parliament will create - a better election code in 2009 than existed in 2008.

¶11. (SBU) Bakradze stressed the new code will be completed and vetted through international and Council of Europe experts (the Venice Commission) before local elections take place in Fall 2010. Bakradze said he does not know what the new election code will look like, but sees two main issues: first, the new code must be more democratic. Second, the allocation of seats (single-mandate vs.

party list) must be determined. Bakradze said there will be disagreement and much debate over the two issues, but the final code will be more representative of the views of wide range of parties and interests.

#### CONSTITUTIONAL AMENDMENTS

¶12. (SBU) Bakradze said two proposed Constitutional amendments will be reviewed in accordance with law, and likely passed, by mid-March.

The first amendment would limit the President's right to dissolve Parliament. The second amendment would clarify that Parliament must vote to approve the cabinet (this is ambiguous under current law, and could conflict if the opposition would have a majority in Parliament). Despite claims by some opposition members, the amendments will limit the President's ability to change cabinet positions and will not allow the President to dismiss Parliament at his will.

#### AMBASSADORS ENCOURAGE MORE REFORM

¶13. (SBU) The ambassadors thanked the Speaker for the comprehensive update. Noting that President Saakashvili said on September 16, 2008 that the only response for Georgia to Russia's aggression was "more democracy," they encouraged the Speaker and Parliament to make good on his pledge. One ambassador said that while a new election code was important, it is of equal importance that the government ensures the code is followed, and anyone violating the code is held accountable. This ambassador also remarked that while the structure of increased political programming is good, publicizing ownership of media companies in Georgia would be beneficial to media freedom. Omedia companies in Georgia would be beneficial to media freedom. Bakradze acknowledged that ownership is an issue, and that Parliament would also address this, but defended the right of companies to have editorial preferences, "just as the New York Times does."

#### DENOUNCING SUBARI'S POLITICIZATION

¶14. (SBU) In response to a final question, Bakradze told the group that he regretted Public Defender Sozar Subari's decision to join politics while still the head of the Public Defender's Office (PDO).

He alleged that Subari is building his political base, and in the process is denigrating the important position and stature of the PDO. Bakradze denounced Subari's allegations that he knew of "secret instructions by the MOIA to violently disperse the November 2007 protests." If he knew such information and did not make it public at the time, Bakradze claimed that Subari was negligent in his position. Rather, Bakradze said he suspects this version of events was fabricated for Subari's political gain. Bakradze also

TBILISI 00000276 003 OF 003

noted that a Deputy Public Defender resigned a week ago and immediately went to work for the opposition Republican Party. Bakradze said this casts doubt on the employee's decisions and work prior to them leaving the PDO, thus tainting the entire institution that is supposed to be a neutral arbiter and ombudsman.

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